

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

TRYSHATEL MCCARDELL,

Plaintiff,

VS.

UNITED STATES DEPARTMENT OF  
HOUSING AND URBAN  
DEVELOPMENT, *et al*,

Defendants.

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CIVIL ACTION NO. 3:13-CV-439

**FINAL JUDGMENT**

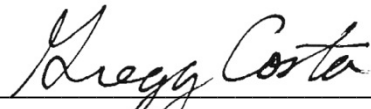
For the reasons given in the Court's Order dated May 23, 2014 (Docket Entry No. 121), defendants General Land Office of Texas and the Texas Department of Housing and Community Affairs are **DISMISSED** based on Eleventh Amendment sovereign immunity.

With respect to the remaining defendants, as a result of Plaintiff's Motion for Nonsuit and the resulting Order (Docket Entries 138 and 140), the constitutional claims asserted in Count One of the Third Amended Complaint are **DISMISSED WITH PREJUDICE**. For the reasons given in the Court's Memorandum and Order entered August 5, 2014 (Docket Entry 147), the Fair Housing Act claim asserted in Count Two of the Third Amended Complaint is **DISMISSED WITH PREJUDICE**. For the reasons given in the Court's Order

entered June 6, 2014 (Docket Entry No. 129), the Administrative Procedure Act claim asserted in Count Four (although sequentially it is just the third count asserted) of the Third Amended Complaint against HUD and its Secretary is **DISMISSED WITHOUT PREJUDICE**.

All claims in this case have now been dismissed. This is a final, appealable judgment.

**SIGNED** this 13th day of August, 2014.

A handwritten signature in cursive script, reading "Gregg Costa", is positioned above a horizontal line.

Gregg Costa  
United States Circuit Judge\*

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\* Sitting by designation.